

## REED &amp; EBERLE LLP

INTELLECTUAL PROPERTY LAW  
800 MENLO AVENUE, SUITE 210  
MENLO PARK, CALIFORNIA 94025  
(650) 330-0900 TELEPHONE  
(650) 330-0980 FACSIMILE  
WWW.REEDPATENT.COM

## FACSIMILE TRANSMITTAL SHEET

TO: Examiner Cybille Delacroix-Muirhei Group Art Unit 1614 U.S. Patent and Trademark Office	FACSIMILE NO.: (703) 746-5033 TELEPHONE NO.: (703) 306-3227
FROM: Karen Canaan, Reg. No. 42,382	FACSIMILE NO.: (650) 330-0980 TELEPHONE NO.: (650) 330-0900
DATE: August 5, 2003	PAGE 1 OF: 4
SUBJECT: In re Application of: Donnelly et al. Serial No.: 09/694,108 Filed: October 19, 2000 Title: "Administration of Resveratrol to Treat Inflammatory Respiratory Disorders" Attorney Docket No.: 7500-0010	CONFIRMATION COPY TO FOLLOW: NO

Thank you for your voice-mail message providing us with your fax number. Please enter the accompanying Request for Continued Examination (RCE) Transmittal with respect to the patent application identified above. A Transmittal Form and Fee Transmittal also follow.

Sincerely,  
Karen Canaan, Reg. No. 42,382

---

**WARNING:** This facsimile message and accompanying documents are intended only for the use of the addressee indicated above. Information that is privileged or otherwise confidential may be contained therein. If you are not the intended recipient, you are hereby notified that any dissemination, copying, review, or use of the above message or the accompanying documents is strictly prohibited. If you have received this message in error, please notify us immediately by telephone or facsimile, and mail the original to us at the above address. Thank you.

**PLEASE CALL (650) 330-0900 IF YOU HAVE ANY PROBLEMS RECEIVING THIS TRANSMISSION  
OR HAVE RECEIVED THIS TRANSMISSION IN ERROR.**

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031

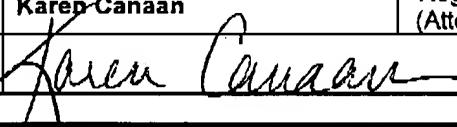
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/694,108
		Filing Date	October 19, 2000
		First Named Inventor	Louise Elizabeth DONNELLY
		Art Unit	1614
		Examiner Name	Cybille DELACROIX-MUIRHEI
		Attorney Docket Number	7500-0010

**ENCLOSURES (Check all that apply)**

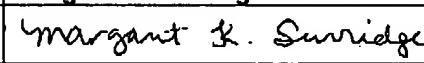
<input type="checkbox"/> No fee due <input type="checkbox"/> Fee Transmittal <input checked="" type="checkbox"/> Fee(s) due <input checked="" type="checkbox"/> Fee Transmittal <input checked="" type="checkbox"/> Charge \$750.00 to Deposit Account No. 18-0580 <input checked="" type="checkbox"/> Charge any underpayment or credit any overpayment to Deposit Account No. 18-0580 <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement & Form(s) PTO-1449 <input type="checkbox"/> Copy(ies) of cited reference(s) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts / Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s):	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <u>Request for Continued Examination (RCE) Transmittal</u> .
Remarks:		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Name (print/type)	Karen Canaan	Registration No. (Attorney/Agent)	42,382	Telephone	(650) 330-0900
Signature				Date	August 5, 2003

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to Examiner Cybille Delacroix-Muirhei in Group Art Unit 1614 of the USPTO at facsimile number (703) 305-3014 on August 5, 2003.

Name (print/type)	Margaret K. Surridge				
Signature				Date	August 5, 2003

PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL

## for FY 2003

Effective 01/01/03. Patent fees are subject to annual revision.

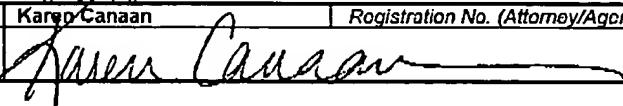
 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT \$750.00

Complete if Known

Application Number	09/694,108
Filing Date	October 19, 2000
First Named Inventor	Louise Elizabeth DONNELLY
Examiner Name	Cybille DELACROIX-MUIRHEI
Group Art Unit	1614
Attorney Docket No.	7500-0010

METHOD OF PAYMENT (check all that apply)					FEE CALCULATION (continued)																																																																																																																																																																																										
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: <table border="1"> <tr><td>Deposit Account No.</td><td>18-0580</td></tr> <tr><td>Deposit Account Name</td><td>Reed &amp; Eberle LLP</td></tr> </table> <p>The Commissioner is authorized to: (check all that apply)</p> <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Charge any underpayment or credit any overpayments <input type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.					Deposit Account No.	18-0580	Deposit Account Name	Reed & Eberle LLP	<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>SurchARGE - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>SurchARGE - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1853</td><td>130</td><td>1853</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>1,970</td><td>2255</td><td>905</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,300</td><td>2153</td><td>650</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,300</td><td>2501</td><td>650</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>630</td><td>2503</td><td>315</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>750</td><td>2809</td><td>375</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>750</td><td>2810</td><td>375</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>750</td><td>2801</td><td>375</td><td>Request for Continued Examination (RCE)</td><td>\$750.00</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>					Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	SurchARGE - late filing fee or oath		1052	50	2052	25	SurchARGE - late provisional filing fee or cover sheet		1853	130	1853	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for ex parte reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	410	2252	205	Extension for reply within second month		1253	930	2253	465	Extension for reply within third month		1254	1,450	2254	725	Extension for reply within fourth month		1255	1,970	2255	905	Extension for reply within fifth month		1401	320	2401	160	Notice of Appeal		1402	320	2402	160	Filing a brief in support of an appeal		1403	280	2403	140	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,300	2153	650	Petition to revive - unintentional		1501	1,300	2501	650	Utility issue fee (or reissue)		1502	470	2502	235	Design issue fee		1503	630	2503	315	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))		1801	750	2801	375	Request for Continued Examination (RCE)	\$750.00	1802	900	1802	900	Request for expedited examination of a design application	
Deposit Account No.	18-0580																																																																																																																																																																																														
Deposit Account Name	Reed & Eberle LLP																																																																																																																																																																																														
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																										
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																												
1051	130	2051	65	SurchARGE - late filing fee or oath																																																																																																																																																																																											
1052	50	2052	25	SurchARGE - late provisional filing fee or cover sheet																																																																																																																																																																																											
1853	130	1853	130	Non-English specification																																																																																																																																																																																											
1812	2,520	1812	2,520	For filing a request for ex parte reexamination																																																																																																																																																																																											
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																											
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																											
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																																											
1252	410	2252	205	Extension for reply within second month																																																																																																																																																																																											
1253	930	2253	465	Extension for reply within third month																																																																																																																																																																																											
1254	1,450	2254	725	Extension for reply within fourth month																																																																																																																																																																																											
1255	1,970	2255	905	Extension for reply within fifth month																																																																																																																																																																																											
1401	320	2401	160	Notice of Appeal																																																																																																																																																																																											
1402	320	2402	160	Filing a brief in support of an appeal																																																																																																																																																																																											
1403	280	2403	140	Request for oral hearing																																																																																																																																																																																											
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																											
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																																											
1453	1,300	2153	650	Petition to revive - unintentional																																																																																																																																																																																											
1501	1,300	2501	650	Utility issue fee (or reissue)																																																																																																																																																																																											
1502	470	2502	235	Design issue fee																																																																																																																																																																																											
1503	630	2503	315	Plant issue fee																																																																																																																																																																																											
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																											
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																																																											
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																																											
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																											
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																											
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																											
1801	750	2801	375	Request for Continued Examination (RCE)	\$750.00																																																																																																																																																																																										
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																											
*or number previously paid, if greater; For Reissues, see above					Other fee (specify)	SUBTOTAL (3)		\$750.00																																																																																																																																																																																							
					*Reduced by Basic Filing Fee Paid																																																																																																																																																																																										

SUBMITTED BY				Complete (if applicable)			
Name (Print/Type)	Karen Canaan	Registration No. (Attorney/Agent)	42,382	Telephone	(650) 330-0900		
Signature				Date	August 5, 2003		

PTO/SB/30 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

#14  
JLP  
8/8/03

<b>REQUEST</b> FOR <b>CONTINUED EXAMINATION (RCE)</b> <b>TRANSMITTAL</b> Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
---	--

Application Number	09/694,108
Filing Date	October 19, 2000
First Named Inventor	Louise Elizabeth DONNELLY
Art Unit	1614
Examiner Name	Cybille DELACROIX-MUIRHEI
Attorney Docket Number	7500-0010

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

a.  Previously submitted

- Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on April 28, 2003  
(Any unentered amendment(s) referred to above will be entered).
- Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- Other \_\_\_\_\_

b.  Enclosed

- Amendment/Reply
- Affidavit(s)/Declaration(s)
- Information Disclosure Statement (IDS)
- Other \_\_\_\_\_

## 2. Miscellaneous

a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b.  Other \_\_\_\_\_

## 3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a.  The Commissioner is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 18-0580.

- RCE fee required under 37 CFR 1.17(e)
- Extension of time fee (37 CFR 1.136 and 1.17)
- Other \_\_\_\_\_

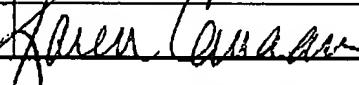
b.  Check in the amount of \$ \_\_\_\_\_ enclosed

- RCE fee as required under 37 CFR 1.17(e)
- Extension of time fee (37 CFR 1.136 and 1.17)
- Other \_\_\_\_\_

c.  Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

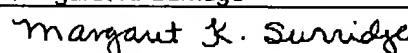
## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	Karen Canaan	Registration No. (Attorney/Agent)	42,382
Signature		Date	August 5, 2003

015941  
015941

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to Examiner Cybille Delacroix-Muirhei in Group Art Unit 1614 of the USPTO at facsimile number (703) 305-3014 on August 5, 2003.

Name (Print/Type)	Margaret K. Surridge	Registration No. (Attorney/Agent)	13001
Signature		Date	August 5, 2003

 08/05/2003 FAXERS CO 00001  
 01 FAX:1001 750.00  
 02 FAX:1232 410.00